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APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10/814,495 03/31/2004 SJKIM-002USC Sung-Jin Kim 6449 12/06/2005 **EXAMINER** 7663 7590 STETINA BRUNDA GARRED & BRUCKER COE, SUSAN D 75 ENTERPRISE, SUITE 250 ART UNIT PAPER NUMBER ALISO VIEJO, CA 92656 1655

DATE MAILED: 12/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)
10/814,495	KIM, SUNG-JIN
Examiner	Art Unit
Susan D. Coe	1655

5	Examino	Alt Ollic		
	Susan D. Coe	1655		
The MAILING DATE of this communication appears on the cover sheet with the correspondence address				
THE REPLY FILED 18 November 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE				
. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following				
time periods: a) The period for reply expires 4 months from the mailing date	e of the final rejection			
b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In				
no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN				
TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). ixtensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee				
have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL				
	nliance with 37 CEP 41 37 must be	filed within two month	ne of the date of	
2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).				
<u>AMENDMENTS</u>		i		
 The proposed amendment(s) filed after a final rejection, (a) ☐ They raise new issues that would require further ∞ 			ecause	
(b) ☐ They raise the issue of new matter (see NOTE below		i L below),		
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or				
(d) They present additional claims without canceling a	corresponding number of finally rej	ected claims.		
NOTE: See Continuation Sheet. (See 37 CFR 1.				
4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).				
5. Applicant's reply has overcome the following rejection(s):				
 Newly proposed or amended claim(s) would be a non-allowable claim(s). 	·			
7. For purposes of appeal, the proposed amendment(s): a) will not be entered, or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended. The status of the claim(s) is (or will be) as follows:				
Claim(s) allowed: <u>1-10</u> . Claim(s) objected to:				
Claim(s) rejected to Claim(s) rejected: 16-20.				
Claim(s) withdrawn from consideration:				
AFFIDAVIT OR OTHER EVIDENCE		: 		
 The affidavit or other evidence filed after a final action, be because applicant failed to provide a showing of good ar was not earlier presented. See 37 CFR 1.116(e). 	ut before or on the date of filing a N nd sufficient reasons why the affidav	otice of Appeal will <u>no</u> vit or other evidence i	ot be entered s necessary and	
 The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to showing a good and sufficient reasons why it is necessal 	overcome <u>all</u> rejections under appe	al and/or appellant fa	ils to provide a	
10. The affidavit or other evidence is entered. An explanation				
REQUEST FOR RECONSIDERATION/OTHER				
 The request for reconsideration has been considered be <u>See Continuation Sheet.</u> 			nce because:	
12. Note the attached Information Disclosure Statement(s).	(PTO/SB/08 or PTO-1449) Paper N	No(s).	1	
13.		Swan D.	be .	
		11-29-09 Susan D. Coe	5	
		Primary Examiner Art Unit: 1655		

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Continuation Sheet (PTO-303)

Continuation of 3. NOTE: The amendment to claim 16 raises new issues. As proposed claim 16 adds steps c and d. These steps are the same steps that were set forth in claim 18 in the last amendment; however, claim 18 recited that its two steps were between steps a and b of claim 16. The proposed amendment adds these two step to the end of claim 16. The proposed steps c and d would be indefinite if entered because they refer to adjusting the pH of a solution that has been evaporated to dryness in step b.

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments are based on the claims as amended. The amendment will not be entered for the reasons discussed; therefore, applicant's arguments are not persuasive.